

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,** )                           **CASE NO. 8:13CR105**  
                               )  
**Plaintiff,**                 )  
                               )  
                               )  
**vs.**                         )  
                               )  
**TIMOTHY DEFOGGI and**     )  
**ZACHARY AUSTIN,**             )  
                               )  
**Defendants.**                 )

**ORDER**

This matter is before the Court on the Plaintiff's Motion to Dismiss Forfeiture Allegation (Filing No. 307) against Defendants Timothy DeFoggi and Zachary Austin. The Court has reviewed the record in this case and concludes the Plaintiff's Motion should be granted. Accordingly,

**IT IS ORDERED:**

1.       The Plaintiff's Motion to Dismiss Forfeiture Allegation (Filing No. 307) against Defendants Timothy DeFoggi and Zachary Austin is granted; and
2.       The Forfeiture Allegation of the Indictment (Filing No. 1) against Defendants Timothy DeFoggi and Zachary Austin is dismissed.

DATED this 31<sup>st</sup> day of March, 2016.

**BY THE COURT:**

s/Laurie Smith Camp  
Chief United States District Judge